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LEGISLATIVE HISTORY

Public Law 503--73th Congress

Chapter 613--2d Session

H. R. 4067

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INDEX AND SUMMARY OF HISTORY ON H. R. 4367

May 23, 1944	H. R. 4367 introduced by Rep. D'Alesandro and was referred to the House Committee on the District of Columbia. Print of the bill as introduced.
June 12, 1944	House Committee reported H. R. 4367 without amendment. House Report 1629. Print of the bill as reported.
June 13, 1944	Discussed in House and passed as reported. pp. 5362-3. Congressional Record, Vol. 90, Pt. 5.
June 15, 1944	H. R. 4367 was referred to the Senate Committee on the District of Columbia. Print of the bill as referred.
November 27, 1944	Senate Committee reported H. R. 4367 without amendment. Senate Report 1206. Print of the bill as reported.
December 8, 1944	H. R. 4367 was discussed in the Senate and passed with an amendment.
December 11, 1944	House concurred in the Senate amendment.
December 20, 1944	Approved. Public Law 509.

78TH CONGRESS
2D SESSION

H. R. 4867

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1944

Mr. D'ALESANDRO introduced the following bill; which was referred to the Committee on the District of Columbia

A BILL

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regulations now or hereafter adopted or promulgated by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, shall extend and apply to all restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, soda fountains, and all other eating and drinking establishments, operated within the District of Columbia on premises owned or held under lease by the Government of the United States or any Federal department or agency, irrespective of whether

such establishments are operated by the United States or any Federal department or agency or by any other person, firm, association, or corporation, and also irrespective of whether such establishments are operated for profit or otherwise.

78TH CONGRESS
2D SESSION

H. R. 4867

A BILL

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

By Mr. D'ALESANDRO

MAY 23, 1944

Referred to the Committee on the District of Columbia

78TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 1629

APPLICATION OF DISTRICT OF COLUMBIA HEALTH REGULATIONS TO GOVERNMENT EATING PLACES

JUNE 12, 1944.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. RANDOLPH, from the Committee on the District of Columbia, submitted the following

REPORT

[To accompany H. R. 4867]

The Committee on the District of Columbia, to whom was referred the bill (H. R. 4867) to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to make existing and subsequent regulations adopted by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, applicable to all restaurants and other eating and drinking establishments operated in the District of Columbia, whether owned by the United States Government or any Federal agency or by any other person.

The need for the application of these regulations to eating places operated by Government agencies or by other organizations in Government buildings, as well as to those privately owned and operated, has become apparent as the result of various hearings conducted by this committee and through reports received by various members of this committee with reference to conditions prevailing in eating places in Government departments.

The Commissioners of the District of Columbia recognize the need for uniform health protection, and feel that no immunity from reasonable health regulations should exist merely because an eating or drinking place is located within a Government building or building owned by a Federal agency. Due to the attitude of the representatives of various Government eating establishments, the Health Department of the District of Columbia, through its inspectors, has been prevented from making inspections of such places and, to the

best of this committee's knowledge, no adequate inspection of them is made. The Commissioners have expressed the view that the question whether such inspection is to be made by the District Health Department or by proper agencies of the Federal Government is one of policy for determination by the Congress.

This committee is of the view that no sound reason exists for different treatment of eating and drinking places located in Federal buildings, and therefore reports favorably on H. R. 4867 and urges its enactment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 26, 1944.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on the District of Columbia,
United States House of Representatives, Washington, D. C.

MY DEAR MR. RANDOLPH: The Commissioners have for report H. R. 4867, Seventy-eighth Congress, a bill to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

The Commissioners are completely in accord with the purpose of this legislation, feeling that the public should be protected to the same degree at all times when eating or drinking in restaurants and other establishments, whether they be located within buildings of the Federal Government or in buildings operated by private business. The question as to whether inspection and enforcement of regulations pertaining to health, as applied to institutions in Federal buildings, should be handled by the Health Department through its inspectors or through competent Federal agencies, is one of policy for determination by the Congress.

In the past certain of the Federal establishments have taken the position that they are immune from regulation by the municipality. As a result of this, it is the information of the Commissioners, gleaned through public hearings and reports received, that certain establishments within the Federal departments have not been adequately inspected.

In view of the fact that the Commissioners feel that this is primarily a matter of policy as to who shall make the inspections and enforce regulations, the Commissioners are of opinion that they are not called upon to favor or disapprove the proposed legislation.

This report has not been submitted to the Bureau of the Budget, in view of the fact that the Commissioners have been notified that the House District Committee will consider H. R. 4867 on Monday, May 29.

Respectfully,

JOHN RUSSELL YOUNG,
President, Board of Commissioners, District of Columbia.

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Union Calendar No. 550

78TH CONGRESS
2D SESSION

H. R. 4867

[Report No. 1629]

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1944

Mr. D'ALESANDRO introduced the following bill; which was referred to the Committee on the District of Columbia

JUNE 12, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

A BILL

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regulations now or hereafter adopted or promulgated by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, shall extend and apply to all restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, soda fountains, and all other eating and drinking establishments, operated within the District of Columbia on premises owned or held under lease by the Government of the United States

or any Federal department or agency, irrespective of whether such establishments are operated by the United States or any Federal department or agency or by any other person, firm, association, or corporation, and also irrespective of whether such establishments are operated for profit or otherwise.

Union Calendar No. 550

78TH CONGRESS
2D SESSION

H. R. 4867

[Report No. 1629]

A BILL

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

By Mr. D'ALESANDRO

MAY 23, 1944

Referred to the Committee on the District of Columbia

JUNE 12, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

78TH CONGRESS
2D SESSION

H. R. 4867

IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on the District of Columbia

AN ACT

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regulations now or hereafter adopted or promulgated by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, shall extend and apply to all restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, soda fountains, and all other eating and drinking establishments, operated within the District of Columbia on premises owned or held under lease by the Government of the United States or any Federal department or agency, irrespective of whether

such establishments are operated by the United States or any Federal department or agency or by any other person, firm, association, or corporation, and also irrespective of whether such establishments are operated for profit or otherwise.

Passed the House of Representatives June 13, 1944.

Attest: SOUTH TRIMBLE,

Clerk.

78TH CONGRESS
2D SESSION

H. R. 4867

AN ACT

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

JUNE 15 (legislative day, MAY 9), 1944
Read twice and referred to the Committee on the District of Columbia

Calendar No. 1220

78TH CONGRESS, 2d Session | SENATE | REPORT No. 1206

APPLICATION OF DISTRICT OF COLUMBIA HEALTH REGULATIONS TO GOVERNMENT EATING PLACES

NOVEMBER 27 (legislative day, NOVEMBER 21), 1944.—Ordered to be printed

Mr. BILBO, from the Committee on the District of Columbia, submitted the following

REPORT

[To accompany H. R. 4867]

The Committee on the District of Columbia, to whom was referred the bill (H. R. 4867) to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia, having considered the same, report favorably thereon with the recommendation that the bill do pass.

The purpose of the proposed legislation is fully explained in the report of the Committee on the District of Columbia, House of Representatives, which accompanied the bill and which is attached hereto and made a part of this report.

[H. Rept. No. 1629, 78th Cong., 2d sess.]

The Committee on the District of Columbia, to whom was referred the bill (H. R. 4867) to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to make existing and subsequent regulations adopted by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, applicable to all restaurants and other eating and drinking establishments operated in the District of Columbia, whether owned by the United States Government or any Federal agency or by any other person.

The need for the application of these regulations to eating places operated by Government agencies or by other organizations in Government buildings, as well as to those privately owned and operated, has become apparent as the result of various hearings conducted by this committee and through reports received by various members of this committee with reference to conditions prevailing in eating places in Government departments.

The Commissioners of the District of Columbia recognize the need for uniform health protection, and feel that no immunity from reasonable health regulations

should exist merely because an eating or drinking place is located within a Government building or building owned by a Federal agency. Due to the attitude of the representatives of various Government eating establishments, the Health Department of the District of Columbia, through its inspectors, has been prevented from making inspections of such places and, to the best of this committee's knowledge, no adequate inspection of them is made. The Commissioners have expressed the view that the question whether such inspection is to be made by the District Health Department or by proper agencies of the Federal Government is one of policy for determination by the Congress.

This committee is of the view that no sound reason exists for different treatment of eating and drinking places located in Federal buildings, and therefore reports favorably on H. R. 4867 and urges its enactment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 26, 1944.

Hon. JENNINGS RANDOLPH,
Chairman, Committee on the District of Columbia,
United States House of Representatives, Washington, D. C.

MY DEAR MR. RANDOLPH: The Commissioners have for report H. R. 4867, Seventy-eighth Congress, a bill to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

The Commissioners are completely in accord with the purpose of this legislation, feeling that the public should be protected to the same degree at all times when eating or drinking in restaurants and other establishments, whether they be located within buildings of the Federal Government or in buildings operated by private business. The question as to whether inspection and enforcement of regulations pertaining to health, as applied to institutions in Federal buildings, should be handled by the Health Department through its inspectors or through competent Federal agencies, is one of policy for determination by the Congress.

In the past, certain of the Federal establishments have taken the position that they are immune from regulation by the municipality. As a result of this, it is the information of the Commissioners, gleaned through public hearings, and reports received, that certain establishments within the Federal departments have not been adequately inspected.

In view of the fact that the Commissioners feel that this is primarily a matter of policy as to who shall make the inspections and enforce regulations, the Commissioners are of opinion that they are not called upon to favor or disapprove the proposed legislation.

This report has not been submitted to the Bureau of the Budget, in view of the fact that the Commissioners have been notified that the House District Committee will consider H. R. 4867 on Monday, May 29.

Respectfully,

JOHN RUSSELL YOUNG,
President, Board of Commissioners, District of Columbia.

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Calendar No. 1220

78TH CONGRESS
2D SESSION

H. R. 4867

[Report No. 1206]

IN THE SENATE OF THE UNITED STATES

JUNE 15 (legislative day, MAY 9), 1944
Read twice and referred to the Committee on the District of Columbia

NOVEMBER 27 (legislative day, NOVEMBER 21), 1944
Reported by Mr. BILBO, without amendment

AN ACT

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regulations now or hereafter adopted or promulgated by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, shall extend and apply to all restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, soda fountains, and all other eating and drinking establishments, operated within the District of Columbia on premises owned or held under lease by the Government of the United States or any Federal department or agency, irrespective of whether

such establishments are operated by the United States or any Federal department or agency or by any other person, firm, association, or corporation, and also irrespective of whether such establishments are operated for profit or otherwise.

Passed the House of Representatives June 13, 1944.

Attest: SOUTH TRIMBLE,

Clerk.

Calendar No. 1220

78TH CONGRESS
2D SESSION

H. R. 4867

[Report No. 1206]

AN ACT

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

JUNE 15 (legislative day, MAY 9), 1944
Read twice and referred to the Committee on the District of Columbia

NOVEMBER 27 (legislative day, NOVEMBER 21), 1944
Reported without amendment

man of the War Production Board, what would happen if this act should not be extended. He replied:

Senator, I was startled when you said the act expired on the 31st day of this month. I had not realized it. I can answer you by saying that if the powers conferred by this act are not extended the entire war effort will collapse.

I say, Mr. President, that there is no doubt as to the correctness of that statement. Of course, I told Mr. Krug, as I have told others, that there was no question about the Congress extending the powers conferred by that act, and that it would be done immediately.

The bill passed the House with an amendment, and it is that amendment with which I should deal, or ought to explain, if Senators are interested. If they are not, I am willing to have a vote at this time. The amendment adopted by the House would simply confer the right of judicial review in cases involving what are called suspension orders. On that point I am sure the Senator from Connecticut [Mr. DANAHER] wishes to make an observation. I yield to the Senator from Connecticut.

Mr. DANAHER. Mr. President, inviting the attention of the Senator from New Mexico to page 2, line 11, we find there the words "any order suspending any priority or allocation."

I point out that this amended section would give the district courts exclusive jurisdiction to enjoin or set aside certain orders which are described in the language which I have just quoted. Since that language was open to very real question as to the exact meaning of what jurisdiction the court would have, and how that jurisdiction would be exercised, I took the matter up with the Senator from New Mexico, in charge of the bill, to the end that we might establish, if necessary by colloquy, some legislative background as to the meaning of those words. It is my understanding that the words "any order suspending" really should should read "any suspension order affecting."

Mr. HATCH. Mr. President, let me say to the Senator that the words which he has just used, "any suspension order" are the words which I have always used.

Mr. DANAHER. And they are the correct words.

Mr. HATCH. That is the correct designation.

Mr. DANAHER. They define the powers which we are authorizing the district courts to exercise if and when some War Production Board commissioner or hearing authority issues a suspension order against a contractor who has violated a previous allocation or priority. Is that the Senator's understanding?

Mr. HATCH. The Senator from Connecticut has correctly stated the situation.

Mr. President, I think Senators understand the bill. I see no reason for prolonging the debate.

Mr. CONNALLY. Mr. President, I wish to ask the Senator from New Mexico whether it is the purpose to make the act terminate on the action of the President or by the adoption by Congress of a concurrent resolution?

Mr. HATCH. I can best answer the Senator from Texas by reading from the bill itself, which provides, first, that the Second War Powers Act "shall remain in force only until December 31, 1945"—an extension for 1 year—"or until such earlier time as the two Houses of Congress by concurrent resolution, or the President may designate."

Mr. CONNALLY. I wish to suggest to the Senator that, according to my mind, legally that is not effective. It is all right to provide that the act shall be terminable when the Congress passes a joint resolution, but Congress cannot by the adoption of a concurrent resolution repeal the act or keep it from continuing in effect.

I think the language should have read, "or until such earlier time as the two Houses of Congress may adopt a concurrent resolution."

Mr. HATCH. I think the Senator from Texas has a very good point there, but I do not think it is one which should be made the subject of an amendment.

Mr. CONNALLY. I shall not offer an amendment and I shall not press the point; but I wish to call the attention of the Senator to the fact that an act can be terminated upon the occurrence of any event, and in order to make this provision legal it is simply necessary to consider the adoption of a concurrent resolution as an event, not as an end, because an act cannot be repealed by a concurrent resolution of the Congress. We could condition it on the occurrence of any event, such as the fall of a star, or anything else.

Mr. HATCH. I understand.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. DANAHER. In the report of the Committee on the Judiciary, commencing two-thirds of the way down the second page, we find the words "Changes in existing law." From that point, down through the remainder of the report, there is set forth "Title III—Priorities powers", together with changes as indicated on page 5. It seems to me, Mr. President, that that portion of the report need not be reprinted, and that no useful purpose would be served by having it set forth in the RECORD. But I think the Senator from New Mexico would be wise to include all of page 1 and all of page 2 of the report of the committee, down to the point I indicated.

Mr. HATCH. Mr. President, does the Senator mean to have that much of the report included as a part of the remarks appearing in the RECORD at this point?

Mr. DANAHER. Yes; I think it would be well to have it included as a part of the remarks.

Mr. HATCH. I shall be very glad to do so. Mr. President, I ask unanimous consent that that be done.

There being no objection, the portion of the report (No. 1301) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to whom was referred the bill (H. R. 4993) to amend Public, No. 507, Seventy-seventh Congress, second session, an act to further expedite the prosecution of the war, approved March 27, 1942, known as the Second War Powers Act, 1942, having considered the same, do now report the bill to the Senate favorably, without amendment, and recommend that the bill do pass.

STATEMENT

This bill would amend the Second War Powers Act (act, approved March 27, 1942, Public Law No. 507, 77th Cong., 56 Stat. 176) in two respects, as follows:

1. Extends the life of titles I to VII, inclusive, and of titles IX, XI, and XIV of the Second War Powers Act, and the amendment to any existing law made by any such title, from December 31, 1944, to December 31, 1945, subject to earlier termination by concurrent resolution of the two Houses of Congress, or by order of the President.

2. Adds a new section (9) to title III of the Second War Powers Act, which section (9) follows:

"(9) The district courts of the United States are hereby given exclusive jurisdiction to enjoin, or set aside, in whole or in part, any order suspending any priority or allocation, or denying a stay of any such suspension, that may have been issued by any person, officer or agency, acting or purporting to act hereunder, or under any other law or authority.

"Any action to enjoin or set aside any such order shall be brought within five days after the service thereof.

"No suspension order shall take effect within five days after it has been served, or, if an application for a stay is made to the issuing authority within such five-day period, until the expiration of five days after service of an order denying the stay.

"The venue of any such suit shall be in the district court of the United States for the district in which the petitioner has his principal place of business; and the respondent shall be subject to the jurisdiction of such court after ten days before the return day of the writ, either when (1) process shall have been served on any district manager or other agent of the respondent of similar or superior status; or (2) notice by registered mail shall have been given to respondent, or to the office of the Attorney General of the United States."

This amendment gives the district courts of the United States exclusive jurisdiction to enjoin or set aside, in whole or in part, any order suspending any priority or allocation, or denying a stay of any such suspension, that may have been issued by any person, officer, or agency acting or purporting to act under that title, or under any other law or authority; fixes the time limit within which any such action must be brought; and fixes the venue of any such suit both as to petitioner and respondent, as well as the modus operandi to render the respondent subject to the jurisdiction of the district court issuing the writ of injunction.

The purpose of this amendment is to assure any holder of a priority or allocation granted by any person, officer, or agency, under title III, or under any other law or authority, whenever the same may have been ordered suspended by the issuing authority the right to invoke the aid of the United States district court for the district in which the petitioner has his principal place of business, to enjoin any such suspension order, and to give that district court jurisdiction both of the subject matter and of the issuing authority.

The amendment applies only to "suspension orders," which are orders withholding or withdrawing priorities or allocations because of violations of the regulations or orders of the agency issuing the suspension order. It is not intended to and does not apply to allocation or priority orders or decisions made by the agency nor to cases where such allocations or priorities must be modified or revoked because of changing supply conditions or changes in war or es-

sential civilian needs. Also the amendment does not affect the provision for judicial review of suspension orders contained in the Stabilization Extension Act of 1944 with respect to the Office of Price Administration suspension orders. Thus, the provision in that Act, conditioning interlocutory relief upon the entry of an order enjoining the applicant for violations pending review, remains in effect as to suspension orders issued by the Office of Price Administration.

The ACTING PRESIDENT pro tempore. If there be no amendments to be proposed, the question is on the third reading of the bill.

The bill was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill, H. R. 4993, was passed.

BILLS AFFECTING THE DISTRICT OF COLUMBIA

Mr. GEORGE obtained the floor.

Mr. BILBO. Mr. President, will the Senator yield to me?

Mr. GEORGE. Does the Senator wish to move to have the Senate take up certain District of Columbia measures at this time?

Mr. BILBO. Yes; I wish to have certain District of Columbia bills considered at this time.

Mr. GEORGE. I yield to the Senator from Mississippi.

Mr. BILBO. Mr. President, yesterday, by agreement with the majority leader and the minority leader, it was agreed that at 5 o'clock today the Senate would lay aside the unfinished business for the purpose of considering and passing certain bills for the District of Columbia, some of which relate to matters which are emergencies. Therefore, I wish to ask unanimous consent that certain District of Columbia bills be considered, beginning with Calendar No. 1212, House bill 1951.

Before asking that the Senate consider the bills, I desire to say that the Committee on the District of Columbia considered the various House bills, and, with one or two exceptions, they were approved by the committee without any amendment whatsoever. The bills have met with the approval of the minority leader, who sits on the other side of the aisle, after he had consulted the members of the committee.

There is nothing extraordinary about any of the bills, but they constitute very necessary legislation, and some of them are emergency matters. For instance, one of them relates to the inauguration of the President.

So, Mr. President, I ask unanimous consent that the Senate proceed to consider the bills to which I have referred, beginning with Calendar No. 1212, House bill 1951.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has asked unanimous consent that the Senate proceed to the consideration of certain measures relating to the District of Columbia, beginning with Calendar No. 1212, House bill 1951. Is there objection?

Mr. WHITE. Mr. President, reserving the right to object, let me say, especially for the information of Senators on this side of the Chamber, that I have consulted, so far as it has been possible to do so, the minority members of the committee, and I know of no objection—I speak for the minority of the committee at the moment—to these bills.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will proceed to state the bills referred to, beginning with Calendar No. 1212, House bill 1951.

AMENDMENT OF DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING FACILITY ACT OF 1942

The bill (H. R. 1951) to amend the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942, was considered, ordered to a third reading, read the third time, and passed.

PREVENTION OF ATTACHMENT OR GARNISHMENT OF SALARY OR WAGES IN THE DISTRICT

The bill (H. R. 2116) to amend the laws of the District of Columbia relating to exemption of property from judicial process, the assignment of salary or wages, and the advance payment of salary or wages for the purpose of preventing attachment or garnishment, was considered, ordered to a third reading, read the third time, and passed.

GRANTING OF ADDITIONAL POWERS TO DISTRICT COMMISSIONERS

The Senate proceeded to consider the bill (H. R. 2644) to grant additional powers to the Commissioners of the District of Columbia, and for other purposes.

Mr. BILBO. Mr. President, Mr. West, the Corporation Counsel for the District of Columbia, has submitted an amendment which would make the bill apply to sureties on the bonds involved. I offer the amendment, and send it to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 4, in line 10, it is proposed to strike out the period, and insert a colon and the following: *"Provided, however,* That nothing in this section shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries, as the case may be."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

REGULATION OF PRACTICE OF THE HEALING ART

The bill (H. R. 3150) to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, was considered, ordered to a third reading, read the third time, and passed.

REGULATION OF MOTOR-VEHICLE TRAFFIC AND INCREASE OF NUMBER OF JUDGES OF POLICE COURT

The bill (H. R. 3313) to amend section 10 of the act of March 3, 1925, entitled "An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes," as amended, was considered, ordered to a third reading, read the third time, and passed.

DISPOSAL OF DEAD HUMAN BODIES IN THE DISTRICT OF COLUMBIA

The bill (H. R. 3619) to amend sections 675 and 676 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, regulating the disposal of dead human bodies in the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

REGULATION OF MOTOR-VEHICLE TRAFFIC AND INCREASE OF NUMBER OF JUDGES OF POLICE COURT

The bill (H. R. 3621) to amend an act entitled "An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes," was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF NOTARIES PUBLIC BY DISTRICT COMMISSIONERS

The bill (H. R. 3720) to authorize the Commissioners of the District of Columbia to appoint notaries public was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF DISTRICT HEALTH REGULATIONS TO GOVERNMENT RESTAURANTS

The Senate proceeded to consider the bill (H. R. 4867) to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Mr. BILBO. Mr. President, House bill 4867 is a measure providing for proper sanitary inspection of all restaurants now being conducted by Government agencies in the District of Columbia. After the committee reported the bill, I discovered that it would apply to the House and Senate restaurants, which are under the Rules Committee of the Senate and the House and under Mr. Lynn, the Architect of the Capitol. I wish to have the Capitol restaurants exempted from the provisions of the bill. Therefore, I offer the amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 2, after line 5, it is proposed to insert:

SEC. 2. This act shall not apply to the United States Senate and House of Representatives restaurants.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. DANAHER. Mr. President, I desire to ask the Senator from Mississippi to please tell us whether any of these bills deal with the subject of the garnishment of salaries of Federal workers.

Mr. BILBO. No, sir.

marks that will appear in the RECORD if you do not find it convenient to hear me this afternoon.

DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

GRANTING OF ADDITIONAL POWERS TO THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2644) to grant additional powers to the Commissioners of the District of Columbia, and for other purposes, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 10, after "business", insert ": *Provided, however,* That nothing in this section shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries as the case may be."

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this is a restriction the Senate has placed on the bill?

Mr. RANDOLPH. That is correct. The gentleman will remember that the House passed this measure, it went to the Senate and was considered and voted on last Friday.

The bill as amended by the Senate does not impair the general purposes and for that reason we are ready to concur and trust the House will accept the recommendation of the committee.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

REGULATION OF BOXING CONTESTS AND EXHIBITIONS IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4327) to regulate boxing contests and exhibitions in the District of Columbia, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 19 and 20, strike out "entitled to compensation, not to exceed $1,800 each per annum" and insert "paid compensation at the rate of $2,400 each per annum, effective July 1, 1944."

Page 4, after line 4, insert "The said funds shall be available to pay for boxing equipment, such as gloves, head guards, mouthpieces, trunks, boxing shoes, boxing rings and mats therefor, timekeepers' bells and hammers, and trophies for members of organizations engaged in the promotion and control of amateur and collegiate boxing; and when deemed necessary by the Commission, it may furnish personnel to conduct instruction and boxing contests for such organizations, and pay for same from such funds."

Page 7, line 19, strike out "6" and insert "10."

Page 9, line 1, strike out "$10,000" and insert "$15,000."

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman please explain these amendments?

Mr. RANDOLPH. Mr. Speaker, this is legislation which passed the House several months ago. It deals with a partial reorganization of the District of Columbia Boxing Commission. The amendments placed on the legislation after it passed the House by the Senate, when it was considered by that body on Friday, go principally to the subject of increase in compensation for two members of the Commission. The $1,800 limitation in the House was increased to $2,400 in the Senate, with, of course, the provision that the member of the Commission who is also a member of the Metropolitan Police Department will be paid no salary. That, principally, is the contention of the Senate.

Mr. MARTIN of Massachusetts. Who is the one that gets the increase from $10,000 to $15,000?

Mr. RANDOLPH. That is not an increase in salary paid to the Commissioners. Salaries would be increased from $1,800 to $2,400 under the provisions of the Senate bill.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. ROWE. This $15,000, of course, is a reserve fund that will be left in the hands of the Boxing Commission to meet the normal expenses of the operation of the Commission from the present forty to fifty thousand dollar surplus in that fund. The balance is being turned over to the District and is considered as miscellaneous receipts.

Mr. MARTIN of Massachusetts. It does not mean any additional burden on the District?

Mr. RANDOLPH. No. The funds are provided and the District Commission money is already available.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

Mr. COFFEE. Mr. Speaker, reserving the right to object, I would like, with the indulgence of the House, briefly to express myself to the effect that Harry Wender, ex-president of the District of Columbia Federation of Citizens' Associations with 39 affiliated organizations and 75,000 individual members, has stated that the position of that organization is that it is opposed to the provision of this bill which specifies $2,400 a year to 2 of the boxing commissioners, and has asked me to state to the House that there are 500 men in the District of Columbia, any one of whom would be delighted to serve without compensation as a member of the Boxing Commission. It seems to me, further, that if the District of Columbia Boxing Commission has any surplus fund, which is estimated at $50,000, it might be reserved for and turned over to official charitable organizations of the District of Columbia and the recreational groups. The sporting editors of all 5 Washington newspapers have expressed themselves as opposed to the payment of this compensation to the Boxing Commissioners of the District of Columbia.

I will not object in view of the fact that the bill went through the House, and the House has already expressed itself in favor of the principle of compensation for the members of the Boxing Commission, but I think it is only fair that this statement should go into the RECORD. Therefore, I withdraw my reservation of objection.

Mr. ROWE. Mr. Speaker, further reserving the right to object, I want to go on record as well as the gentleman preceding me by saying that there are provisions in this bill to which I also object, but in this we are down to the point where if it is not agreed to in conference, it means that the bill will not pass at this session of the Congress and probably the matter will run over into the next Congress before anything is done about it. I have talked to the ranking member of the Committee on the District of Columbia about this, and he advised me that he would lend his efforts to correct situations, wherever amendments are necessary, to which I now object, and that he will gladly propose those and work on a program of amending the bill throughout.

Mr. COCHRAN. Mr. Speaker, further reserving the right to object, I would like to say to the gentleman from West Virginia that I am not going to object, because his committee has acted upon the bill. But he will recall that recently I sent him a copy of a picture in the Washington papers where there were two ladies wrestling, and they were jumping on each other's faces. There was a great deal of comment with reference to that. Somebody should assume control so that such things will not be occurring here in the District of Columbia or there will be a reaction, and the result will be the repeal of the law permitting boxing and wrestling in the District of Columbia.

Mr. RANDOLPH. May I say in response to the observation of the gentleman from Missouri, who is always interested, and properly so, in District legislation, that when the hearings were held by our subcommittee, with the gentleman from Arkansas [Mr. HARRIS], the gentleman from Ohio [Mr. ROWE], and others giving careful attention to the matter, it was proposed that the District of Columbia Boxing Commission enlarge its responsibility to take in wrestling. However, the testimony indicated that such was not desirable at this time.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GOVERNMENT RESTAURANTS WITHIN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4867) to extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 5, insert:

"SEC. 2. This act shall not apply to the United States Senate and House of Representative restaurants."

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, may I ask the gentleman from West Virginia why the Senate and the House restaurants should not come under the health regulations?

Mr. RANDOLPH. After most careful consideration in the House District Committee we thought there was no reason why the restaurants on Capitol Hill, in the Senate and House respectively, should not be under the supervision of the District of Columbia Health Department. The bill was so passed in this body. Friday the Senate passed the measure with the amendment which has been read by the Clerk. Personally, I cannot see why the Senate and House restaurants should be eliminated from the provisions of the legislation, but we are ready to concur in the Senate amendment, thinking perhaps that on Capitol Hill the Architect, Mr. Lynn, and the others who have jurisdiction, will properly supervise these establishments.

Mr. MARTIN of Massachusetts. Was any reason given by the other body when it adopted this amendment?

Mr. RANDOLPH. No. The debate in the Senate simply shows a statement by Senator BILBO, the chairman of the District Committee, to the effect that he believed that Mr. Lynn and the others charged with the responsibility should continue unhampered their operation of the restaurants.

Mr. MARTIN of Massachusetts. I suppose any person who owns a restaurant would feel the same way about his particular restaurant.

Mr. RANDOLPH. Yes; I am in general agreement with the gentleman. We have agreed to the Senate amendment in an effort to pass the proposal today.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PETROLEUM PIPE LINES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 5448) to permit construction, maintenance, and use of a tunnel for the purpose of carrying lines of petroleum products in the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. RANDOLPH. The purpose of this legislation is routine in that it gives to the company in question the privilege of laying certain lines for the transmission of petroleum. Under the bill sponsored by the House District Committee, which we trust will be in effect in a few months, we would leave to the Commissioners this type of regulation and not call it into the House in the form of specific legislation.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

Mr. RIVERS. Reserving the right to object, Mr. Speaker, may I ask the chairman of the committee if this pipe line would be a common carrier or be vested in a private company, so that nobody else could use this line? I think that is very important.

Mr. RANDOLPH. Only the Standard Oil Co. would be allowed to use this particular tunnel. The Standard Oil, of course, will pay for the installation and the maintenance of the necessary pipe lines which they will run under the streets of Washington?

Mr. RIVERS. Will they have the power of eminent domain to do that?

Mr. RANDOLPH. They will, yes; under the bill; and they pay the cost, as I have said. It will be theirs to use. Of course if accidents were to occur or if trouble were to arise, the District Commissioners would have regulatory powers so that they could intervene and control.

Mr. RIVERS. Therefore, the Standard Oil Co. will be placed in a position above all other competitors if they have the right to have a pipe line without any competition from any other source?

Mr. RANDOLPH. I might say to my very distinguished friend from South Carolina that we have granted such rights on previous occasions. They have the same right as Congress has granted on previous occasions to many other companies to lay pipe lines of this character. It is merely for the purpose of crossing a street to connect two of their properties. As I recall, within the last 2 or 3 years at least five or six companies have been given the right to construct pipe lines for similar purposes.

Mr. RIVERS. Why should not this thing be opened to the public on the payment of royalties? Why should not it be a common carrier? Why should they not all be common carriers?

Mr. RANDOLPH. I can only say to the gentleman, the company in question is paying the cost of installation of the pipe lines. They contemplate using it merely as a company convenience and to better serve their patrons. Of course, ofttimes I agree with the gentleman's logic, but in this instance, since we have done it repeatedly for other companies, I do not see that we are giving any opportunity for unfairness on the part of the Standard Oil Co.

Mr. RIVERS. Mr. Speaker, with the statement of the chairman of the committee, that other companies have the same right and that other companies have been granted the same privilege, I will not object.

Mr. RANDOLPH. That is correct, Mr. Speaker.

Mr. RIVERS. With the understanding that they are not separate and apart from other people, I will not object, but I would state to the gentleman that it is a dangerous thing.

Mr. RANDOLPH. Mr. Speaker, I appreciate the gentleman's observation.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and are hereby, authorized and empowered to grant permission to Standard Oil Co. of New Jersey, a corporation, as owner of property in square 708, on the east side of South Capitol Street, between Q and R Streets, and property in square 660, on the west side of South Capitol Street, between Q and R Streets, all in the District of Columbia, its successors and assigns, to construct, maintain, and use a tunnel not to exceed in cross-sectional area more than 96 square feet, for the purpose of installing therein pipe lines for the transmission of petroleum and petroleum products, from a point within said square 708, under and across South Capitol Street, to a point within said square 660.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said tunnel as the public necessity may require, any such repairs or relocation to be at the expense of Standard Oil Co. of New Jersey, its successors or assigns.

Any repairs to streets, highways, or other public property necessitated by construction or alterations of said tunnel shall be made in a manner satisfactory to the Commissioners of the District of Columbia at the expense of Standard Oil Co. of New Jersey.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within South Capitol Street.

SEC. 4. The right to alter, amend, or repeal this act is expressly reserved.

With the following committee amendment:

On page 2, line 18, after the word "assigns", insert the following: "The Standard Oil Co. and any person, firm, or corporation using such tunnel, shall save harmless, indemnify and keep indemnified the District

[Public Law 508—78th Congress]

[Chapter 613—2d Session]

[H. R. 4867]

AN ACT

To extend the health regulations of the District of Columbia to Government restaurants within the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regulations now or hereafter adopted or promulgated by the Commissioners of the District of Columbia for the protection of health, including the penalty provisions of such regulations, shall extend and apply to all restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, soda fountains, and all other eating and drinking establishments, operated within the District of Columbia on premises owned or held under lease by the Government of the United States or any Federal department or agency, irrespective of whether such establishments are operated by the United States or any Federal department or agency or by any other person, firm, association, or corporation, and also irrespective of whether such establishments are operated for profit or otherwise.

Sec. 2. This Act shall not apply to the United States Senate and House of Representatives restaurants.

Approved December 20, 1944.